

ORIGINAL



0000060120

BEFORE THE ARIZONA CORPORATION COMMISSION

19

COMMISSIONERS

JEFF HATCH-MILLER – Chairman 2006 OCT -5 P 2:55

WILLIAM A. MUNDELL

MIKE GLEASON

KRISTIN K. MAYES

BARRY WONG

AZ CORP COMMISSION
DOCUMENT CONTROL

IN THE MATTER OF THE APPLICATION OF) DOCKET NO. T-03632A-06-0091
DIECA COMMUNICATIONS DBA COVAD) T-03406A-06-0091
COMMUNICATIONS COMPANY, ESCHOLON) T-03267A-06-0091
TELECOM OF ARIZONA, INC., MCLEODUSA) T-03432A-06-0091
TELECOMMUNICATIONS SERVICES, INC.,) T-04302A-06-0091
MOUNTAIN TELECOMMUNICATIONS, INC.,) T-01051B-06-0091
XO COMMUNICATIONS SERVICES, INC AND)
QWEST CORPORATION REQUEST FOR)
COMMISSION PROCESS TO ADDRESS KEY)
UNE ISSUES ARISING FROM TRIENNIAL)
REVIEW REMAND ORDER, INCLUDING)
APPROVAL OF QWEST WIRE CENTER LISTS.)

**MOTION AND CONSENT OF MICHAEL W. PATTEN FOR
PRO HAC VICE ADMISSION OF GREGORY T. DIAMOND
ON BEHALF OF DIECA COMMUNICATIONS, INC. dba COVAD
COMMUNICATIONS COMPANY
(EXPEDITED RULING REQUESTED)**

Pursuant to Rule 33(c) and (d) Rules of Supreme Court, Michael W. Patten moves the
Arizona Corporation Commission to admit Gregory T. Diamond as counsel pro hac vice in this
action.

The following exhibits are attached here to pursuant to Rule 33(c) and (d):

1. The Original Verified Application;
2. The Certificates of Good Standing; and
3. The State Bar of Arizona Notice of Receipt.

Arizona Corporation Commission

DOCKETED

OCT 05 2006


DOCKETED BY

ROSHKA DEWULF & PATTEN, PLC
ONE ARIZONA CENTER
400 EAST VAN BUREN STREET - SUITE 800
PHOENIX, ARIZONA 85004
TELEPHONE NO 602-256-6100
FACSIMILE 602-256-6800

1 The filing fee as required under Rule 33(d) has been submitted to the State Bar of Arizona.
2 Michael W. Patten hereby agrees to serve as designated local counsel for the above-captioned
3 docket.

4 RESPECTFULLY SUBMITTED this ^{5th} day of October 2006.

5 ROSHKA DEWULF & PATTEN, PLC

6
7 By 
8 Michael W. Patten
9 One Arizona Center
10 400 East Van Buren Street, Suite 800
11 Phoenix, Arizona 85004

12 Attorneys for Covad Communications Company and
13 Mountain Telecommunications, Inc.

14 Also authorized to sign on behalf of: Eschelon Telecom of
15 Arizona, Inc., McLeodUSA Telecommunications Services,
16 Inc. and XO Communications Services, Inc.
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ROSHKA DeWULF & PATTEN, PLC
ONE ARIZONA CENTER
400 EAST VAN BUREN STREET - SUITE 800
PHOENIX, ARIZONA 85004
TELEPHONE NO 602-256-6100
FACSIMILE 602-256-6800

1 Original and 23 copies of the foregoing
2 filed this 5th day of October 2006 with:

3 Docket Control
4 Arizona Corporation Commission
5 1200 West Washington Street
6 Phoenix, Arizona 85007

7 Copy of the foregoing hand-delivered/mailed
8 this 6th day of October 2006 to:

9 Greg Diamond
10 Covad Communications Company
11 Senior Counsel
12 7901 E. Lowry Boulevard
13 Denver, CO 80230

14 Douglas Denney
15 Eschelon Telecom, Inc.
16 Senior Manager, Costs and Policy
17 730 Second Avenue S., Suite 900
18 Minneapolis, MN 55402-2489

19 William Haas
20 McLeodUSA Telecommunications Services, Inc.
21 Regulatory Contact
22 6400 C Street SW
23 P. O. Box 3177
24 Cedar Rapids, IA 52406-3177

25 Mike Hazel
26 Mountain Telecommunications
27 1430 West Broadway, Suite 206
Tempe, AZ 85282

Rex Knowles
XO Communications Services
Regulatory Contact
111 East Broadway, Suite 1000
Salt Lake City, UT 84111

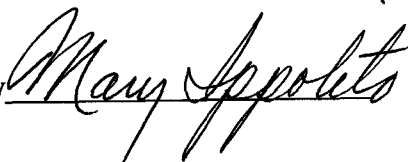
Norman Curtright
Corporate Counsel
Qwest Corporation
4041 North Central Avenue, Suite 1100
Phoenix, Arizona 85012

Tom Bade
Arizona Dialtone, Inc.
7170 West Oakland Street
Chandler, Arizona 85226

ROSHKA DeWULF & PATTEN, PLC

ONE ARIZONA CENTER
400 EAST VAN BUREN STREET - SUITE 800
PHOENIX, ARIZONA 85004
TELEPHONE NO 602-256-6100
FACSIMILE 602-256-6800

- 1 Gary Joseph, Vice President
National Brands, Inc. dba
2 Sharenet Communications
4633 West Polk Street
3 Phoenix, Arizona 85043
- 4 Brad VanLeur, President
OrbitCom
5 1701 North Louise Avenue
Sioux Falls, SD 57107
- 6 Dwight D. Nodes, Esq.
7 Assistant Chief Administrative Law Judge
Hearing Division
8 Arizona Corporation Commission
1200 West Washington
9 Phoenix, Arizona 85007
- 10 Maureen A. Scott, Esq
Legal Division
11 Arizona Corporation Commission
12 1200 West Washington
Phoenix, Arizona 85007
- 13 Ernest Johnson, Esq
14 Utilities Division
15 Arizona Corporation Commission
1200 West Washington
16 Phoenix, Arizona 85007

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18 By 
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1 **Arizona Corporation Commission**

2
3 In the Matter of Application of Dieca,)
4)
5)
6)
7)

CASE # T-03632A-06-0091

SBA App #1002837

8
9 **NOTICE OF RECEIPT OF**
10 **COMPLETE APPLICATION**

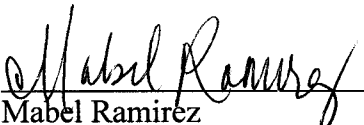
11 NOTICE IS HEREBY given by THE STATE BAR OF ARIZONA that it has
12 received the verified application and fee from Gregory Thomas Diamond

13 In addition to this application, applicant has made the following applications to appear
14 pro hac vice, pursuant to Rule38 (a), within the previous three (3) years:

Title of Matter	Court/Agency	Date	Granted?	
Covad Petition for Arbitration	Arizona Corporation Commission	01/20/2007	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No

15 Exhibit A, the original verified application and Exhibit B, the original Certificate(s) of
16 Good Standing are attached hereto.

17 DATED this 2nd day of October 2006

18 
19 Mabel Ramirez
20 Resource Center
21 State Bar of Arizona

22 Original Mailed on this 2nd day of October 2005 to:

23 Mr. Michael Pattern
24 Roshka DeWulf & Pattern PLC
25 One Arizona Center
400 E Van Buren Suite 800
Phoenix, AZ 85004

TO PRINT



For Official Use Only

App# 1002437

Pro Hac ID # 158531

**NONRESIDENT ATTORNEY
PRO HAC VICE APPLICATION**

Name: Gregory Thomas Diamond

Residence Address: 612 Williams Street, Denver, CO 80218

Office Address: 7901 Lowry Blvd., Denver, CO 80230

Telephone: 720-670-1069 (office)

Fax: 303-562-7378

Title of cause or case where applicant seeks to appear: IN THE MATTER OF THE APPLICATION OF DIECA

Docket Number: T-03632A-06-0091

Court, Board, or Administrative Agency: Arizona Corporation Commission

Party on whose behalf applicant seeks to appear: DIECA Communications, Inc. d/b/a Covad Communications

Courts to Which Applicant Has Been Admitted:

Illinois

Colorado

Washington

Date of Admission:

May 7, 1987

November 18, 2005

June 30, 1998

Bar Number:

6195100

700161

28025

Applicant is a member in good standing in such courts.

Applicant is not currently disbarred or suspended in any court.

Applicant ☐ is ☒ is not (select one) currently subject to any pending disciplinary proceeding or investigation by any court, agency or organization authorized to discipline attorneys at law.

Jurisdiction(s) Where
Discipline Matter Pending:

Nature of Matter
Under Investigation:

Name / Address of
Disciplinary Authority:

Applicant ☐ has ☒ has not (select one) been disciplined by any court, agency or organization authorized to discipline attorneys at law.

In the preceding three (3) years, applicant has filed applications to appear as counsel under Rule 33, Arizona Rules of Supreme Court in the following:

Title of Matter:

In Re: Dieca/Qwest Arbitration

Dckt: T-03632A-04-0425

Docket #:

see next line

Court or Agency:

Arizona CC

Application Granted? (Y/N)

Yes

N/A

N/A

N/A

RECEIVED

SEP 22 2006¹

State Bar of Arizona
Resource Center Department

Name of local counsel: Michael Patten, Roshka DeWulf & Patten, PLC

State Bar of Arizona Number: _____

Address: One Arizona Center, 400 East Van Buren, Suite 800, Phoenix, AZ 85004

Telephone: 602-256-6100 Fax: 602-256-6800

Name(s) of each party in this cause and name and address of all counsel of record:

Party:	Counsel of Record:	Address:
<u>Qwest</u>	<u>Norman Curtright</u> ^{right}	<u>4041 N. Central Ave., Phoenix, AZ 85012</u>
_____	_____	<u>20 E. Thomas Rd. 16th Floor</u>
_____	_____	<u>Phoenix, AZ 85012</u>
_____	_____	_____

Applicant is including with this application a nonrefundable application fee, payable to the State Bar of Arizona, in the amount of \$391.00.

This case or cause ☐ is ☒ is not (select one) a related or consolidated matter for which applicant has previously applied to appear pro hac vice in Arizona. If this matter is a related or consolidated with any previous application, applicant certifies the following:

Applicant certifies the following:

1. Applicant shall be subject to the jurisdiction of the courts and agencies of the State of Arizona and to the State Bar of Arizona with respect to the law of this state governing the conduct of attorneys to the same extent as an active member of the State Bar of Arizona, as provided in Rule 46(b) Rules of the Supreme Court.
2. Applicant will review and comply with appropriate rules of procedure as required in the underlying cause.
3. Applicant understands and shall comply with the standards of conduct required of members of the State Bar of Arizona.

Verification

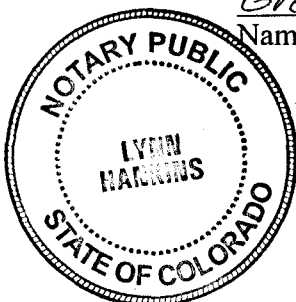
STATE OF Colorado)
County of Denver) ss.

I, the Applicant, swear that all statements in the application are true, correct and complete to the best of my knowledge and belief.

Dated: 9/18/06 Applicant's signature [Signature]

SUBSCRIBED AND SWORN TO before me this 18th day of Sept., 2006 by
Gregory Thomas Diamond
Name of Applicant

[Signature]
Notary Public





ATTORNEY REGISTRATION AND DISCIPLINARY COMMISSION
of the
SUPREME COURT OF ILLINOIS

One Prudential Plaza
130 East Randolph Drive, Suite 1500
Chicago, IL 60601-6219
(312) 565-2600 (800) 826-8625
Fax (312) 565-2320

One North Old Capitol Plaza, Suite 333
Springfield, IL 62701
(217) 522-6838 (800) 252-8048
Fax (217) 522-2417

Gregory Thomas Diamond
Covad Communications Company
7901 Lowry Blvd.
Denver, CO 80230


Chicago
Friday, September 08, 2006

In re: Gregory Thomas Diamond
Admitted: 5/7/1987
Attorney No. 6195100

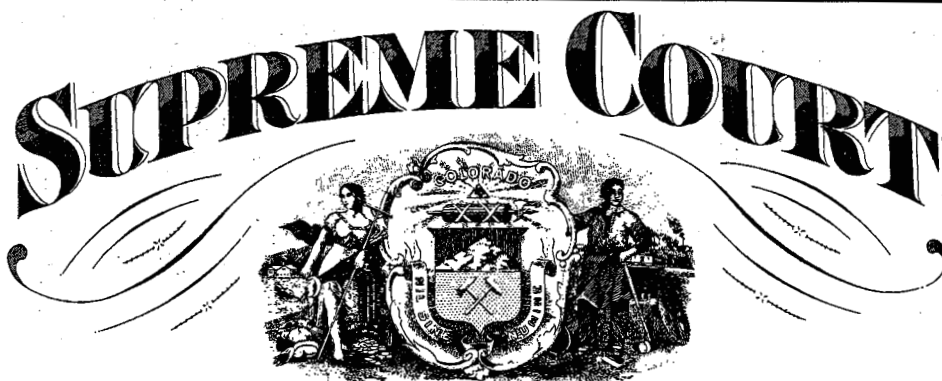
To Whom It May Concern:

The records of the Clerk of the Supreme Court of Illinois and of this office indicate that the attorney named above was admitted to the practice of law in Illinois; is currently registered on the master roll of attorneys entitled to practice law in this state; and has never been disciplined; and is in good standing.

Very truly yours,
Mary Robinson
Administrator

By: 
Roxanne Treter
Deputy Registrar

RT



State of Colorado,

STATE OF COLORADO, ss:

I, Deputy Clerk of the Colorado Supreme Court,

do hereby certify that

Gregory Thomas Diamond

has been admitted to practice law as a

Single Client Attorney

Pursuant To C.R.C.P 222

within this State; and that his name appears on

the Supreme Court's roll of Single Client Attorneys of date the

18th day of November, 2005 and that at the date
hereof the said Gregory Thomas Diamond is in good
standing at this bar.

IN WITNESS WHEREOF, I Have hereunto subscribed my name and
Affix the Seal of said Supreme Court, at Denver in said state, this



13th day of September 2006

Sharon A. Kaxler

Deputy Clerk

STATUS CERTIFICATE

This certifies that

GREGORY T DIAMOND

was admitted to the Bar of the State of Washington on June 30, 1998, has been an active member since admission, and has complied with all requirements of the Washington State Bar Association for payment of licensing fees and attendance at continuing legal education programs.

Dated as of September 8, 2006.



M. Janice Michels
Executive Director

Washington State Bar Association
2101 Fourth Avenue, Suite 400
Seattle, WA 98121-2330
206-443-WSBA